



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**DUPUIS et al**

Atty. Ref.: 2350-73

Serial No. 09/341,241

Group: 1617

Filed: September 14, 1999

Examiner: Sharareh

For: COSMETIC OR DERMATOLOGICAL COMPOSITION IN  
THE FORM OF A GEL, CONTAINING IN

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**DECLARATION UNDER RULE 132**

I, Ludivine LAURENT, declare as follows:

1. I am an employee of the Assignee, L'Oreal, of the above-identified application. My title is *Ingénieur Développement*. I received a technical degree in *INSA* from *Rouen*.
2. I have reviewed the above-identified application as well as the pending claims.
3. I have performed the following Comparative Tests, and/or had them performed at my direction.

### COMPARATIVE TESTS

The tests have been realized by preparing four leave-in care gels comprising:

- 1 g. of acrylic acid/C<sub>11</sub>-C<sub>18</sub> alkyl acrylate/stearyl methacrylate polyoxyethylenated with 20 moles of ethylene oxide terpolymer, commercialized under the name of "Acrysol ICS-1<sup>®</sup>" by the company ROHM & HAAS,
- 2 g. of isohexadecane commercialized under the name of "Permethyl 101A<sup>®</sup>" by the company BAYER SILICONE,
- a surfactant,
- 2-amino-2-methyl-1-propanol in an amount allowing to adjust the pH to 7.5, and
- water in an amount to adjust the formulation to 100 g.

(The amounts indicated above are expressed as active material.)

The corresponding gel formulations A, B, C and D are different one to the other either by the nature of the surfactant or by the amount of the surfactant, and thus by the ratio non ionic surfactant / non crosslinked polymer.

The table below shows the nature of the surfactant and its amount for the 4 prepared gels.

	GEL A	GEL B	GEL C	GEL D
Surfactant	Tween 20 <sup>®*</sup> (non ionic surfactant)	Tween 20 <sup>®*</sup>	Sodium lauryl ether sulfate (anionic surfactant)	Cetrimonium chloride (cationic surfactant)
Amount (g. A.M.)	0.1	0.6	0.1	0.1
R**	0.1	0.6	0	0

\* Lauryl ester of sorbitol oxyethylenated with 20 moles of ethylene oxide.

\*\* R= ratio of non-ionic surfactant to non-crosslinked polymer.

Those gels were tested on brown natural hair locks weighting 2.5 g. Before the application of those gels, the hair locks were wetted and dried in order to be humidified. Then the hair locks were impregnated with 0.4 g. of the gel to be tested.

In terms of aspect and touching feelings, and in terms of comportment on hair locks, those gels lead to the following properties:

- GEL A: satisfying consistence, good melting propriety when touched; does not foam on the hair locks,
- GEL B: thicker consistence and more breakable than with gel A; does not foam on the hair locks,
- GEL C: thickest consistence, the most breakable and not much meltable when touched; does foam a lot on hair locks,
- GEL D: intermediate consistence between gels A and B, foams a bit on hair locks.

Consequently, only the formulation A, which is the only one corresponding to the invention, exhibits the expected properties, i.e. improved quality regarding feeling when touched and absence of foaming when applied.

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4. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Further, declarant sayeth not.

Signed this 05 day of October, 2004.

Ludivine LAURENT  
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